App F IX 4

Previous References
LR/ 259-35- 3-10
/ 137-37- 1 and 2
mel/ 19-40-119, 120, 121 1
Later References

1942
(mel)

mel File No. 22-41
Serial Nos 10, 91

GENERAL AND REVENUE SECRETARIAT

Serial Nos ~~Cover~~ Two

Part B for Feb 43

SUBJECT

Re Acquisition of Certain Land for the Construction of Muslim marriage Hall, and Kunchitgar Hostel and Choultry in B'lore City —

L — 8002
13th Feb 43

Directs that the Question may be dropped —

To

The mel Comm'r B'city
thro' the P&T
The Compiler R.G

3

Re acqn of certain lands for a Hostel for Choultry & Kumbhatigaru. Bangalore.

/3475

Continuation Sheet. No. File No. / Current No. 22 of 41-42 Page.

Petn dt 4-12-42 from Messrs Malavalli Kamaiah & others, Kumbhatigarpet (Kutchery Road) Bangr, protesting against the proposed construction of a Choultry & a Hostel in the locality by Mr Borajamma at his own cost.

Minutes of the Dewan on the Petn:- "Law secy for a note through the Minister" Accordingly a note is forwarded with the connected files. After approval, the note will be got typed.

Law Dept. Govt of Mysore

Law secy for 4.12.42

3) Noted by the Minister 5/12

4) Noted with a typed note 6/1/43

5) Note is submitted 6/1/43

Govt of Mysore Law Dept. 6/1/43

Secy to Govt Home Dept

Dewan

6) I do not think that any action is called for at present. Complaints of this nature may be ignored. 7/1

Office of the Minister for L.S.G. & P.W. Date. 8 1 43 No 52-76

1572

Help by obtaining land for a Hostel & Chowkidar in Ramdas suffering Rangeland Camp

Continuation Sheet. File No Current No. 22 of [illegible] Page.

2475

175

I am inclined to agree with the Member F & R. It would be best to drop the matter, if the Member L&G also agrees.

Illegible
31/1/43

Illegible
1-2-43

OFFICE OF THE MINISTER FOR L.S.G & P.H. Date 1.2.43 No. 5970

Member L&G

The possibility of acquiring private lands for the hostel and the Muslim manager had been considered in para 66-56 of his note in his Cimla file dated 22.12 and it was approved to comply with the request of both the Communities. It is not fair to go back on this decision however late the acquisition for the Muslim manager may be. It may also have to be withdrawn.

Illegible
6.2.43

Illegible

6083

I agree the principle to be applied is the same in both cases.

Illegible
8/2/43

Illegible
11.2.43.

Illegible
11-2-43

Illegible

OFFICE OF THE MINISTER FOR L.S.G & P.H. Date 9.2.43 No. 6221

WD 1140—GPB—50,000—5-11-42

3475
2

Continuation Sheet. ML File No / Current No 22 of 41 Page

5-xxpm

sorted with 2 drafts letter for appln.

MM 12/2

May be approved
Lawsey) for 14/12/43

Can 12-2 43
issue today
A 14-12-43

Mr. Borajanna applied to the City Municipal Council, Bangalore, to acquire for him Door Nos. 87, 86, 17, 18 and 19 in Kilari Road, Bangalore City, at his own cost for the construction of a choultry and a hostel for his community. (Komatigas) The Municipal Council, at their meeting held on the 21st November 1940, ~~have~~ resolved to acquire the said properties, and Mr. Borajanna also deposited a sum of Rs. 6970-8-0 towards the cost of ~~the~~ acquisition, as then estimated by the Municipal Engineer. A reference ~~was~~ made to Government in this behalf, for the acquisition of these properties. Thereupon, ~~the~~ Government in their letter No. L. 7707/M1. 19-40-99 dated the 28th April 1941 replied that Government regret that the proposal ~~cannot~~ could not be sanctioned. On a further representation made by Mr. Borajanna, the Municipal Commissioner, in his letter dated the 30th May 1941, requested sanction of Government to the acquisition on behalf of Mr. Borajanna, as a special case and forwarded the preliminary notifications also.

"N1"

"C1"

Government in their letter No. L. 1060/M1. 22-41-2 dated the 5th August 1941 conveyed the approval of Government to the proposal, and the preliminary notifications were also published in this behalf. The Municipal Commissioner was requested to obtain a draft agreement also from the party agreeing to abide by certain conditions. The Municipal Commissioner, in his letter dated the 1st October 1941, ~~wrote~~ to say that the Municipal Council ~~have~~, at their meeting held on 13th September 1941, resolved to drop the acquisition proceedings in respect of the lands

"C2"

"D2"

lands intended for the construction of the Hostel and the choultry along with that of the Muslim Marriage Hall. As directed by the Minister, Local Self-Government and Public Health in para 25 of the notes, the Municipal Commissioner was again requested in this office letter No. L. 7568 dated the 23rd February 1942 to place the matter before the Municipal Council for reconsideration in view of the ~~recent~~ inspection of the spot by the Minister. "E2"

The Municipal Commissioner, in his ~~letter~~ dated the 11th May 1942 ~~has~~ replied that the Municipal Council before ~~which~~ this subject was placed on the 20th April 1942, ~~have~~ reiterated their former opinion. "F12"

As directed by the Minister, Local Self-Government and Dewan - vide paras 46-54 of the notes, the Municipal Commissioner was requested to get the properties in question valued with the assistance of the Councillors of the Divisions concerned and the Municipal Engineer, and to direct the party to deposit twice the amount of the estimated cost of acquisition. The Municipal Commissioner, in his letter dated the 12th August 1942, ~~has~~ stated that the Municipal Councillors who were requested to co-operate with him in the matter ~~have not~~ did not turned up at the time and the place fixed. ~~The Municipal Commissioner~~ He was requested again in this office letter No. 2326/M1. 22-41-82 dated the 27th August 1942 to write to the Municipal Councillors again and get the value of the properties estimated. Again, the Municipal Commissioner in his letter dated the 14th October 1942 ~~has~~ stated that the Municipal Councillors to whom the letters were written ~~have~~ replied to say that they could not comply with the request, as the Municipal Council ~~have~~ had not approved of the acquisition in question. "G2" "H2" "K2"

Thereupon the Municipal Commissioner was requested in

"L2" in this office letter No. L. 4597/Ml. 22-41-89 dated the 5th November 1942 to instruct the Municipal Engineer to value the properties, after giving a hearing to the owners thereof and also taking into consideration the value of the properties in the neighbourhood and submit the same for the orders of Government.

His reply is awaited.

The petitioners, who are the owners of the properties proposed to be acquired, have protested on the ground that the place is not suited for the purpose of constructing a hostel and a choultry and that they would be rendered homeless, if the scheme is given effect to and they pray that the question of the acquisition of the properties may be dropped, suitable sites being given to Mr. Borajanna in another locality for the above purpose.

6-1-43

COURT FEE EIGHT ANNAS

COURT FEE EIGHT ANNAS

COURT FEE ONE RUPEE

Rajamantra Praveena

N.Madhava Rao, Esq.,

Dewan to the Government of Mysore,

Bangalore.

GEN & REV SECRETARIAT 3495 5 DEC 1942 L S G BRANCH

OFFICE OF THE DEWAN OF MYSORE INTERIM PETITION Dat 4/12/42 Rec'd 42

SEOY LAW DEPT MYSORE

Malavalli Kamiah, residing at No.86, Third Division, Kunchitigarpet(Kilari Road) Bangalore City and other residents of the Locality whose houses have been notified for Acquisition.

Petitioner.

Respected Sir,

We, the abovenamed petitioners most humbly and respectfully beg to bring the following few lines of your grievances to your kind and sympathetic consideration that our humble prayer - would meet with success --

We beg to bring to your kind notice that our houses in the above locality has been notified for acquisition by the City Municipality in the Mysore Gazetee dated 14th August 1941 - under No,L.1061 M.C. 22-41-3 for the construction of a chatram and Hostel in the above locality in the field which is opposite to Sree Anjaneya - Temple(which is now under reconstruction) Kilari

Road, Bangalore City, and we hereby submit our objections to the same as hereunder.

As soon as this notification was published in the Gazettee we submitted application to the Municipal council, requesting them not to acquire the said property. This objection of ours was - brought before the Municipal council and the - council set aside the acquisition on the plea that the acquisition proposed is not meant in the interest of the public butonly meant in the interest of certain community. All these days there was no - question of the acquisition and now some of the - councillors who are ill disposed towards us have once again brought this question for decision and we understand that the Government have asked the authorities to prepare estimates etc and the inspection of he spot has also been x made by the - Municipal authorities.

We beg to bring to your kind notice that the Municipality had no intention of acquiring the said portions notified in the gazettee referred to above for the construction of Hostel and chatram in the locality. It is only on the - application of one Mr Bhorajanna a resident of

C. & M. Station

IV

Bangalore, to the City Municipality intimating his intention of constructing a Chatram and a Hostel for the Kunchitigars(to which community he belongs) at his own expense in the above locality, the Municipality took steps for the acquisition of our houses. Even though Mr. Borajanna is a resident of Civil and Military Station, yet he has resolved to construct the socalled charitable chatram and Hostel in the City limits that too in Kunchitigarpet, which locality is not at all suited for the purpose We submit there is two fractions amongst our community i e Kunchitigars and it is only on the influence and instigation of the other fraction people who are on inimical terms with us, Mr Boranna seem to have yielded to their influence We submit that we are under the impression that it is only due to the mischief of certain people of the other fraction who are bent upon harassing us, our houses have been notified for acquisition for the proposes construction of Chatram and Hostel It is natural that if any person who is interested to do charitable acts of the above nature, will only due in a place where he resides and not far away that too in a locality which is most unsuited for the purpose

The locality(Kunchitigarpet) proposed for the purpose is not suited. The width of the road is hardly 20 feet, and it is in the heart of the City. Moreover opposite to the Locality proposed for the construction and Chatram, a temple of Sree Anjaneya Swamy is being reconstructed The whole of the locality is too narrow and is occupied by family people Moreover the vacant land referred to in the gazettee which is opposite to the Sree Anjanaya tem-

temple was formerly full of houses and it id during the first plague, the Municipality with a view to keep the Locality in strict conformity with the Sanitary rules, acquired the houses that were standing in the said land, demolished them and have left the land vacant for purposes of free air etc to the neighbouring residents of the locality Such being the case, we cannot understand how this fact has gone out of the notice of the Municipality when they considered the application of Mr Borajjanna

We may be permitted to mention here that not even one hostel of any community is being b ild in the heart of the City Of course there are chatrams in the heart of the City which were constructed hundreds of years ago and most of the chatrams have been converted into schools and also shops and dwelling quarters At the time of construction of these chatrams also, it was then considered the locality where now chatrams exist as outside the City. Such being the case, we cannot understand how the Municipality without taking the above things into consideration have consented to acquite the land in question and houses, for the construction of Chatram and a Hostel Specially for the Hostel, there must be a decent and airy locality and the Hostel has to be encroached by a compound on all sides But the present locality now prorosed does not contain as much space as is required for putting up a compound wall to the building nor the locality is in strict conformity with the Sanitary Rules and conditions We submit that a charity is made in the interest and for the use of the poor people But the present charity of Mr Boorajanna even though helps poor to an extent, yet it makes the petitioners homeless and makes them to undergo much trouble and loss Hence we submit that this charity of Mr Borija na

makes us homeless.

VII We may be permitted to bring to your kind notice that most of us are wage earners and it is only with the poor earning that we are maintaining ourselves and are living with our families in the houses now proposed for acquisition which were constructed by our ancestors If we are deprived of these houses, we submit that we will be compelled to die out of stravation, as the income of ours will be hardly sufficient both to meet the family expenses and to pay the house rents Of course the Municipality pays compensation for the houses they have now proposed to acquite, but this compensation amount will be fixed by them at a low rate and the amounts as claimed by us will not be given

V.' We submit that the intention of constructing a Hostel to certain community is in the interest of the commu= nity and to educate the community people For education concentration of mind and a calm place is required Specially in Kunchitigarpet which is in the heart of the City, there is heavy traffic (as this road connects to Balepet, Avenue Road, Rangaswamy Temple street, Kempegowda Road etc) is in the least suited and there is no calmness in the locality and such being the case no prosecution of studies in the hostel can be made The one more important thing to be con idered is, that as Most of the cinema theatres are near this Kinchitigarpet and if the Hostel is constructed, the students who reside there cannot take rest during nights as there will be public traffic till late in the night and some times they may take the advantage of the cinema being close to them A hostel should be b ilt in a locality where there are no inconveniences referred to above and it is only then, we can expect the prosecution of the studies from the students and not otherwise

Formerly there was a proposal to construct a school in the said locality and this was also cancelled as the locality was not suited and the vacant space has been left only to preserve the health of the locality. The Benign Government have been pleased to sanction a site in Jail extention for the said construction, but we are at a loss to know as to what became of the said site. If at all Mr. Borajanna is bent upon constructing the Hostel in the heart of the City, he may appreach the Municipality, to get himsufficient land either in the compound of Mr. Krishnappa Naik or Krishnha Iyengar's bungalow or any other locality which is suited for the purpose.

The present acquisition proceedings will put to innumerable troubles and make us homeless.

In the light of the above circumstances, we most humbly and respectfully beg of your honour to be kind enough to inspect the locality(to find out the truth of the allegations madem in this representation), please send for the complete records) and direct the authorities concerned to cancel the proposed acquisition and thus help us. If your honour fails to come to our rescue at this juncture, we the poor petitioners (Mysoreans by birth) will be completely ruined. Anxiously awaiting your favourable commands and for which act of kindness and timely help, we shall ever remain grateful and pray Almighty for your long life and prosperity.

Bangalore City,
13th December 42

WE BEG TO REMAIN,
Respected sir,
YOUR MOST OBEDIENT SERVANTS

4 12-42

Appendix F G —1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 13/2/43

Signed by Nor ggR Rao

List of enclosures

Codied by

Examined by

2 copies

Draft I

Section ml

File No 22-41

Serial No 91

No L 8002

To

The ml Commr, Bezwada

Sir, I am directed to refer to the correspondence ending with your letter No L1 489/40 dy 7/1 Jany 43, and to state that the question of the acquisition of the properties referred to therein (1) for the construction of Muslim marriage Hall & (2) a Kunchitigar Hostel & a choultry on the above may be dropped

I have etc

for Secy to Govt

Law Dept

12/2

P. T. O.

WD 04161—G1B—60 000—24 10 41

Draft II L 8003 Dy 13 2 43
Mel 22-41-90 Secret
SLRD

Notification

is hereby notified for the information of the Public that the acquisition of the properties for the construction of a Hostel and a choultry for the use of the Kunchitigans and (2) a marriage Hall in the city, referred to in notifications Nos L1061/Mel 22-41-3 Dy 5-8-41 & L 1142/Mel 22-40-121 Dy 8-8-41 respectively is dropped.

By order

for Secy to Govt
Law Dept

To the Controller, Govt. for Publication in the Gazette

Memo No L 8004 Dy 13-2-43.

Copy of the above is forwarded with compliments to the Govt Commr. Dev. for information.

By order

for Secy to Govt
Law Dept

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 8002
rel 22-41-91

Bangalore, dated 13 **February 1943**

FROM

The Secretary to the Government of His Highness
the Maharaja of Mysore
Law Department

To

The Municipal Commissioner, Bangalore City
(Through the President),
~~Bangalore City~~

Sir,

With reference to the correspondence ending with your letter No L1 489/40 dated 7th January 1943, I am directed to state that the question of the acquisition of the properties referred to therein (1) for the construction of a Muslim marriage hall and (2) a Kunchitigar Hostel and a choultry in the City may be dropped.

I have the honour to be,
Sir,
Your most obedient Servant,

(Draft) Ramachandra
for Secretary to Government,
Law Dep

LC/2